

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
:
UNITED STATES : NOLLE PROSEQUI
v. :
PEDRO PATERNINA, : 81 Cr. 582 (RWS)
:
Defendant. :
----- X

1. The filing of this nolle prosequi will dispose of this case with respect to the defendant PEDRO PATERNINA.

2. On or about August 20, 1981, a grand jury in this District returned Indictment 81 Cr. 582 (RWS), charging PEDRO PATERNINA with one count of conspiracy to distribute and possess with intent to distribute narcotics, in violation of Title 21, United States Code, Section 846, and one count of distribution and possession with intent to distribute narcotics, in violation of Title 21, United States Code, Sections 812 and 841.

3. On or about September 2, 1981, the defendant was released from pretrial custody upon posting a \$10,000 surety bond. The defendant subsequently fled the district. On or about June 18, 2021, prior to a trial or other disposition in the above-captioned case, PEDRO PATERNINA died in Colombia. A copy of the defendant's death certificate was provided to the

Government by law enforcement partners in Colombia on April 29, 2022.

4. Because the defendant died while this case was pending, and therefore before a final judgment was issued, the indictment against him must be dismissed under the rule of abatement. See United States v. Wright, 160 F.3d 905, 908 (2d Cir. 1998).

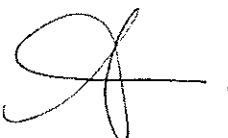
5. In light of the foregoing, I recommend that an order of nolle prosequi be filed as to defendant PEDRO PATERNINA.



LISA DANIELS
Assistant United States Attorney
(212) 637-2955

Dated: New York, New York
August 9, 2022

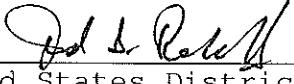
Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of nolle prosequi be filed as to defendant PEDRO PATERNINA.



DAMIAN WILLIAMS
United States Attorney
Southern District of New York

Dated: New York, New York
August 9, 2022

SO ORDERED:



United States District Judge (Part II)
Southern District of New York

Dated: New York, New York
August 10, 2022